

DAILY DIGEST

Vol. 16, No. 80

April 25,1997

**Before an entry denotes that the item is part of the FCC's implementation of the 1996 Telecom Act. While we will attempt to flag all Telecom Act-related items, this marking is unofficial and informational only.

NEWS RELEASES

FCC FILINGS. OPA. Internet URL: <https://www.fcc.gov/filings.html>

FCC CALENDAR OF EVENTS. OPA. Internet URL: <https://www.fcc.gov/calendar.html>

PUBLIC NOTICES

Released: April 25, 1997. EX PARTE PRESENTATIONS AND POST-REPLY COMMENT PERIOD FILINGS IN NON-RESTRICTED PROCEEDINGS (2 OF 2). Contact: Barbara Lowe at (202) 418-0310.

Released: April 25, 1997. TARIFF TRANSMITTAL PUBLIC REFERENCE LOG - DOMINANT CARRIERS - APRIL 24. Internet URL: https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/Tariffs/Dominant/d042497.pdf

Released: April 25, 1997. TARIFF TRANSMITTAL PUBLIC REFERENCE LOG - NON-DOMINANT CARRIERS - APRIL 24. Internet URL: https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/Tariffs/Non-Dominant/nd042497.pdf

Report No: 1128. Released: April 25, 1997. CABLE TELEVISION SERVICE REGISTRATIONS; SPECIAL RELIEF AND OTHER FILINGS.

Report No: TEL-80-A. Released: April 25, 1997. STREAMLINED INTERNATIONAL SECTION 214 APPLICATIONS ACCEPTED FOR FILING (FORMAL SECTION 63.18). Internet URL: https://www.fcc.gov/Bureaus/International/Public_Notices/1997/pnin7079.txt

Report No: TEL-80-B. Released: April 25, 1997. NON-STREAMLINED INTERNATIONAL SECTION 214 AND CABLE LANDING LICENSE APPLICATIONS ACCEPTED FOR FILING (FORMAL SECTION 63.18 AND 1.767). Internet URL: https://www.fcc.gov/Bureaus/International/Public_Notices/1997/pnin7080.txt

Report No: 43979. Released: April 25, 1997. BROADCAST ACTIONS. Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Actions/ac970425.txt

Report No: 23979. Released: April 25, 1997. BROADCAST APPLICATIONS. Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Applications/ap970425.txt

Released: April 25, 1997. EX PARTE PRESENTATIONS AND POST-REPLY COMMENT PERIOD FILINGS IN NON-RESTRICTED PROCEEDINGS (1 OF 2). Contact: Barbara Lowe at (202) 857-3800. Internet URL:

https://www.fcc.gov/Bureaus/Miscellaneous/Public_Notices/Exparte/esx97042.html

Released: April 25, 1997. COMMISSION ANNOUNCES APRIL 30 OPEN FORUM ON PROPOSAL FOR ELECTRONIC FILING OF COMMENTS IN FCC RULEMAKING PROCEEDINGS (GC DOCKET NO. 97-113). Contact: Sheryl Segal at (202) 418-0260. Internet URL:

https://www.fcc.gov/Bureaus/Miscellaneous/Public_Notices/1997/pnmc7010.html

Report No: LB-97-31. Released: April 25, 1997. WIRELESS TELECOMMUNICATIONS BUREAU COMMERCIAL WIRELESS SERVICE INFORMATION.

Report No: CL-97-54. Released: April 25, 1997. WIRELESS TELECOMMUNICATIONS BUREAU COMMERCIAL RADIO SERVICE INFORMATION. Internet URL:

https://www.fcc.gov/Bureaus/Wireless/Public_Notices/1997/pnw17107.txt

Report No: CL-97-53-A. Released: April 25, 1997. WIRELESS TELECOMMUNICATIONS BUREAU COMMERCIAL RADIO SERVICES INFORMATION - PETITION FOR RECONSIDERATION FILED BY A CELLULAR PHASE I UNSERVED AREA APPLICANT. Contact: Michael Kleeb at (202) 418-1306. Internet URL: https://www.fcc.gov/Bureaus/Wireless/Public_Notices/1997/pnw17104.txt

TEXTS

STEVE GRUBERG V. TIME WARNER CABLE OF NEW YORK CITY. Dismissed Steve Gruberg's petition requesting an investigation of the overcharging of commercial use rates by Time Warner Cable of New York City and its predecessor entities. Action by Chief, Cable Services Bureau. Adopted: April 22, 1997. by MO&O. (DA No. 97-863). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1997/da970863.txt>

ARTHUR J. KRAUS. Dismissed complaints regarding the cable programming services tier rates that Arthur J. Kraus was charging in Elwood and the Village of Seneca, IL. Action by Chief, Financial Analysis and Compliance Division, Cable Services Bureau. Adopted: April 22, 1997. by Order. (DA No. 97-858). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1997/da970858.txt>

TCI OF PENNSYLVANIA, INC. Dismissed complaint filed against TCI of Pennsylvania, Inc., concerning its rate for their cable programming service tier in Township of Harris, PA. Action by Chief, Financial Analysis and Compliance Division, Cable Services Bureau. Adopted: April 22, 1997. by Order. (DA No. 97-860). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1997/da970860.txt>

TCI CABLEVISION OF OHIO, INC. Denied complaint filed against TCI Cablevision of Ohio, Inc., concerning its rate increase on May 1, 1995 for its cable programming service tier in Harpersfield, OH. Action by Chief, Financial Analysis and Compliance Division, Cable Services Bureau. Adopted: April 22, 1997. by Order. (DA No. 97-840). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1997/da970840.txt>

WANDER TELECOMMUNICATIONS, INC. Dismissed complaint regarding the cable programming services tier rates that Wander Telecommunications was charging in Boulder Beach, NV. Action by Chief, Financial Analysis and Compliance Division, Cable Services Bureau. Adopted: April 22, 1997. by Order. (DA No. 97-866). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1997/da970866.txt>

WNAL-TV, INC. Denied request for permanent waiver of the television duopoly rule to permit common ownership by Paxson Communications Corporation of television stations WNAL-TV, Gadsden, Alabama, and WTLK-TV, Rome, Georgia; granted applicant a conditional waiver, subject to outcome of Commission's pending broadcast ownership rulemaking; granted application for assignment of license of WNAL-TV from WNAL-TV, Inc. to Paxson Birmingham License, Inc. Action by Chief, Mass Media Bureau. Adopted: April 23, 1997. by MO&O. (DA No. 97-867). MMB

GUILFORD TELECASTERS, INC. Denied Guilford Telecasters, Inc.'s request for remission or mitigation of forfeiture; ordered Guilford to forfeit \$17,500 for violation of the Commission's EEO Rule. Action by the Commission. Adopted: April 21, 1997. by MO&O For. Order. (FCC No. 97-144). MMB Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Orders/1997/fcc97144.txt

BEAR LAKE AND HONOR, MI. Denied Petition for Reconsideration filed by Roger L. Hoppe, II of the R&O denying consideration of Hoppe's counterproposal requesting substitution of Channel 264C2 for Channel 261A at Bear Lake, MI. Dkt No.: MM- 95-135. Action by Chief, Policy and Rules Division, Mass Media Bureau. Adopted: April 16, 1997. by MO&O. (DA No. 97-856). MMB Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Orders/1997/da970856.txt

HUMBOLDT, KS. Amended Section 73.202(b) of the Commission's Rules, the Table of FM Allotments, to allot Channel 232C3 to Humboldt, Kansas, as the community's first local aural transmission service; filing window June 9-July 10; terminated proceeding. Dkt No.: MM- 96-217. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: April 16, 1997. by R&O. (DA No. 97-833). MMB Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Orders/1997/da970833.txt

PAYSON, AZ. Proposed amending FM Table to allot Channel 257A to Payson, Arizona, as that community's third local FM transmission service. Comments due June 16; replies July 1. Dkt No.: MM- 97-125. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: April 16, 1997. by NPRM. (DA No. 97-836). MMB Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Notices/1997/da970836.txt

POPLAR BLUFF, MO. Amended Section 73.202(b) of the Commission's Rules, the Table of FM Allotments, to allot Channel 223A at Poplar Bluff, Missouri, as that community's fifth FM broadcast service; filing window June 9-July 10; terminated proceeding. Dkt No.: MM- 97-54. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: April 16, 1997. by R&O. (DA No. 97-834). MMB Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Orders/1997/da970834.txt

BLUE LAKE, CA. Proposed amending FM Table to allot Channel 292A to Blue Lake, California, as that community's first local aural transmission service. Comments due June 16; replies July 1. Dkt No.: MM- 97-124. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: April 16, 1997. by NPRM. (DA No. 97-837). MMB Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Notices/1997/da970837.txt

GRAND ISLE, LA. Proposed amending FM Table to allot Channel 283A to Grand Isle, Louisiana, as the community's first local aural transmission service. Comments due June 16; replies July 1. Dkt No.: MM- 97-123. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: April 16, 1997. by NPRM. (DA No. 97-835). MMB Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Notices/1997/da970835.txt

APPLICATIONS FOR CONSTRUCTION PERMIT AND LICENSE IN THE ITFS ON CHANNELS A1-A4. Denied application of Catholic Archdiocese of San Juan and granted application of the University System of the Ana G. Mendez Foundation for a construction permit and license in the Instructional Television Fixed Service on Channels A1-A4 in Cayey, Puerto Rico. Action by Chief, Video Services Division, Mass Media Bureau. Adopted: April 22, 1997. by MO&O. (DA No. 97-852). MMB Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Orders/1997/da970852.txt

APPLICATIONS FOR CONSTRUCTION PERMIT AND LICENSE IN THE ITFS ON THE D CHANNEL GROUP. Granted application of Napoleon Community Schools for a construction permit and license of the Instructional Television Fixed Service on Channels D1-D4 at Jackson, Michigan; denied application of North Adams-Jerome Public Schools for an ITFS construction permit and license on Channels D1-D3 at Albion, Michigan; denied North Adams-Jerome Public School's informal objection. Action by Chief, Video Services Division, Mass Media Bureau. Adopted: April 22, 1997. by MO&O. (DA No. 97-853). MMB Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Orders/1997/da970853.txt

ADDENDA: The following items, released April 24, 1997, did not appear in Digest No. 79:

PUBLIC NOTICES

Released: April 24, 1997. SUPPLEMENTAL PLEADING CYCLE ESTABLISHED FOR COMMENTS ON SILVER STAR TELEPHONE COMPANY, INC.'S AMENDED PETITION FOR PREEMPTION AND DECLARATORY RULING (CCBPOL 97-1). Comments due May 8; replies May 15. (DA No. 97-875). Contact: Alex Starr, Policy and Program Planning Division, Common Carrier Bureau at (202) 418-7284. Internet URL: https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/1997/da970875.txt

Report No: 23978A. Released: April 24, 1997. BROADCAST APPLICATIONS. Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Applications/ap970424.txt

TEXTS

ERRATUM - DIRECT IMPACT TELECOMMUNICATIONS, INC. V. AMERICAN TELETRONICS LONG DISTANCE, INC. Clarified paragraphs in MO&O released April 18, 1997 granting Direct Impact Telecommunications, Inc.'s complaints against AT&T and authorizing Direct Impact to file a supplemental complaint concerning damages. Action by Chief, Formal Complaints and Investigations Branch, Enforcement Division, Common Carrier Bureau. Adopted: April 23, 1997. by Erratum. CCB

COMSAT CORPORATION. Corrected file number of the application in Order, DA 97-673. Action by Chief, Satellite and Radiocommunication Division, International Bureau. Adopted: April 23, 1997. by O&A. (DA No. 97-673). IB

ADDENDA: The following items, released April 23, 1997, did not appear in Digest No. 78:

PUBLIC NOTICES

Report No: D-923-A. Released: April 23, 1997. MASS MEDIA BUREAU MULTIPOINT DISTRIBUTION SERVICE APPLICATIONS.

Report No: D-923. Released: April 23, 1997. MASS MEDIA BUREAU MULTIPOINT DISTRIBUTION SERVICE APPLICATIONS. Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/MDS_Notices/pnmm7064.pdf

ADDENDA: The following items, released April 22, 1997, did not appear in Digest No. 77:

PUBLIC NOTICES

Report No: 1934. Released: April 22, 1997. WIRELESS TELECOMMUNICATIONS BUREAU WEEKLY RECEIPTS AND DISPOSALS.

ADDENDA: The following items, released April 15, 1997, did not appear in Digest No. 72:

PUBLIC NOTICES

Report No: 1933. Released: April 15, 1997. WIRELESS TELECOMMUNICATIONS BUREAU WEEKLY RECEIPTS AND DISPOSALS.